S.B.Cr.Misc. Bail Appl. No.6110/2007

(Kanhaiya Lal Vs. State of Rajasthan)

Date of order : December 13, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Farzand Ali, for the petitioner.
Mr.Ashok Upadhyaya, P.P. for the State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It appears that the petitioner failed to appear before the trial court on the date fixed i.e. 2.12.1996 and, therefore, arrest warrant was issued against him and thereafter on 19.5.2004, he was declared absconder. However, he appeared and surrendered before the trial court on 4.10.2007 i.e. almost after 11 years. In the circumstances, therefore, in my view, it is not a fit case to release the petitioner on bail at this stage. The possibility cannot be ruled out that if the petitioner is released on bail, he will again abscond.

The bail application filed by the petitioner under section 439 Cr.P.C. is, therefore, dismissed. The trial court is directed to conclude the trial of the case utmost expeditiously preferably within two months.

[H.R.PANWAR],J.

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